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The volume contains an index, a table of the authors quoted from and an appendix containing brief discussions of several matters of general interest to the student of jurisprudence.

ARNOLD B. HALL.

General Theory of Law. By N. M. KARKUNOV, translated by W. G. HASTINGS. (Boston: Boston Book Company, 1909. Pp. xiv, 524.)

This volume is a brief but comprehensive treatment of the theory of the law, with a rather elaborate account of the main philosophical theories that have influenced or affected its development. The evolution of legal thought and its relation to the teachings of general, moral, political and social philosophy is traced down to the best of modern thought, special attention being given to continental writers.

The work is divided into four books, the first dealing with the conceptions of the law. Here the various conceptions and definitions are critically analyzed and discussed. *A priori* philosophies of the law are declared to be unnecessary. Law is defined as the delimitation of human interests, interests being used in the sense of legal rights. His evolutionary attitude towards the question is illustrated by his criticism of the conception of the historical school in which he declares that they "defined it as an organic development of a type determined beforehand, and not as a progressive and creative development" (p. 121). His attitude towards the nature of law is clearly scientific.

In the second book, which deals with the objective and subjective sides of the law, legal rules and their nature and the conceptions of legal right are analyzed and their relation to the field of jurisprudence discussed. The social conditions of legal development are treated in book three. The fundamental theories of society, the state and government are critically surveyed, special emphasis being given to the modern social viewpoint. The last book is devoted to positive law, dealing with its sources and administration, and containing an excellent and interesting chapter upon the sources of Russian law.

The whole volume clearly evidences the writer's wide and accurate knowledge of the history of philosophic thought, and his keen powers of analysis with which he has traced the influence of various systems of philosophy, both deductive and inductive, upon the development of legal theory. The author shows no small degree of originality in

bringing out many of these connections that are both ingenious and suggestive.

The style is distinctly philosophical and abounds in theoretical illustrations. The lack of homily and familiar examples together with the philosophic style, makes the book less readable than it otherwise would be. While generally the author's method is scientific, yet many of his propositions would be more convincing if based more upon concrete instances and less upon theoretical argument. It is clear throughout the book that the writer's viewpoint is broadly social and antagonistic to individualistic conceptions. In attempting to cover such a wide field in one volume, many subjects of interest and importance have necessarily received but scant and fragmentary treatment. On the whole, however, the book furnishes a mass of philosophical and historical data dealing with the problems of legal theory, especially with regard to the legal systems of the Continent, and which is replete with observations which are original and significant.

ARNOLD B. HALL.

Popular Law Making. By FREDERIC JESUP STIMSON. (New York: Charles Scribner's Sons, 1910. Pp. 390.)

The title of this work is rather misleading. One might very readily suppose that it was devoted to a consideration of direct legislation under the initiative and referendum. It is, however, a treatment of the whole field of statute law with some slight reference to legislative machinery. It is difficult to summarize its contents and this is perhaps the reason why the author omits a preface. He does, however, give a few pages at the close where he attempts to state his purpose. This seems to be to call attention to the enormous difference between the time when the common law was preëminent and one could become reasonably familiar with that portion which applied most directly to him and his occupation, and the present time when "all citizens, in their gravest and their least actions, also must look into the newspapers every morning to make sure that the whole law of life has not been changed for them by a statute passed over night."

The first part of the work is an historical examination of the more important English statutes down to about the time of Cromwell. It then takes up subsequent legislation under a topical arrangement. Under this it seems to have covered the most important tendencies